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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,805	12/22/2000	John B. Abjanic	42390P9673	9057

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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,805

Applicant(s)

ABJANIC ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Amendment received on December 9, 2005 has been entered into record.
3. Claims 1-25 remain pending.

Response to Amendment

4. This office action is in response to the applicants Amendment filed on December 9, 2005. Claims 1, 5, 18, 21, and 24 have been amended. Claims 1-25 are presented for further consideration and examination.
5. Applicant's arguments with respect to claims 1, 5, 18, 21, and 24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims rejected under 35 U.S.C. 102(e) as being by Albert et al. (Hereafter, Albert) U.S. Patent 6,650,641.

1. Regarding claims 1, 21, and 24, Albert's figure 1 discloses a device (e.g. forwarding agent 231) coupled between a client (e.g. client 201) and a server (e.g. server 1), the device (e.g. forwarding agent) having a configuration, the device to receive a content based message comprising a header and application data (e.g. packets) provided in one or more fields after the header via one or more received packets and to process the message only if the received packets have the one or more fields comprising the application data (col. 26 lines 32-43), wherein the content of the application data provided after the header in the one or more fields matches the configuration of the device (Figure 3c; col. 12 lines 65 through col. 13, lines 29; col. 15 lines 44-47; and col. 16 lines 7-18), the device to forward the processed content based message via one or more packets having one or more fields that are different from the received packets (e.g. forwarding agent intercepted the packets if match with the fixed affinity it then process the

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packets based upon the actions set in the fixed affinity) (Figure 13; and col. 15 lines 44-47; col. 26 lines 32-43; col. 29 lines 56 through col. 30 lines 11).

2. Regarding claims 2, 22, and 25, Albert further discloses a device to forward the received packets with the one or more fields and the content based message that are unchanged if the content of the application data in the one or more fields of the received packets do not match the configuration of the device (col. 15 lines 44-47).

3. Regarding claim 3, Albert further discloses the one or more of a validator, a transformer and a content based switch (Figure 13; and col. 8 lines 55-59).

4. Regarding claim 4, Albert further discloses the content of the application data in the one or more fields that match the configuration of the device comprise a destination IP address and destination port number (Figure 6; and col. 16 lines 7-20).

5. Regarding claim 5, Albert further discloses a plurality of devices coupled between a client and a server, the devices having a same configuration (e.g. forwarding agents 231,232), the devices to receive a content based message comprising a header and application data provided in one or more fields after the header via one or more received packets and to process the content based message only if the received packets have the one or more fields comprising the application data, wherein the content of the application data in the one or more fields matches the configuration of the devices, the devices to forward the received packets with the one or more fields and the message that are unchanged if the one or more fields of the received packets do not match the configuration of the devices, the devices to forward the processed content based message via one or more packets having one or more fields that are different from the received packets (e.g. forwarding agent intercepted the packets if match with the fixed affinity it then

process the packets based upon the actions set in the fixed affinity; and if no match it performs a normal IP routing) (Figures 3c and 13; col. 12 lines 65 through col. 13, lines 29; and col. 15 lines 44-47; col. 16 lines 7-18; col. 26 lines 32-43; and col. 29 lines 56 through col. 30 lines 11).

6. Regarding claim 6, Albert further discloses the plurality of devices comprise a plurality of validators (Figure 13).

7. Regarding claim 7, Albert further discloses a validation accelerator to validate content based messages (col. 29 lines 56 through col. 30 lines 11).

8. Regarding claim 8, Albert further discloses the plurality of devices comprise a plurality of transformers (e.g. Network Address Translation) (Figures 12 and 13).

9. Regarding claim 10, Albert further discloses the plurality of devices comprise a plurality of switches (col. 8 lines 55-59).

10. Regarding claim 11, Albert further discloses at least one of the switches comprises a content based switch to switch the content based message to a selected processing node or server if the content of the content based message matches one or more predetermined patterns or values (col. 16 lines 31-41).

11. Regarding claim 12, Albert further discloses the content based switch comprises a content based switch to switch the content based message to a selected processing node or server if business transaction information in the content based message matches a predetermined pattern or value (col. 16 lines 31-41).

12. Regarding claims 13-16, Albert further discloses the content of the application data in one or more fields that match the configuration of the device comprise an address, a destination address (IP), destination port number (Figure 6; and col. 16 lines 6-21).

13. Regarding claim 17, Albert further discloses the content of the application data the one or more fields that match the configuration of the device comprise a destination IP address and destination port number on which the devices are accepting connection requests (Figure 6; and col. 16-21).

14. Regarding claim 18, Albert further discloses a first device having a first configuration (e.g. forwarding agent 231); a second device (e.g. server) coupled to the first device, the second device having a second configuration (Figure 4); the first device to receive a content based message comprising a header and application data (e.g. packet) provided in one or more fields after the header (col. 26 lines 32-43) via one or more received packets and to process the content based message only if the received packets have the one or more fields comprising application data, wherein the content of the application data provided after the header in the one or more fields matches the configuration of the first device, the first device to forward the received packets to the second device with the one or more fields and the content based message that are unchanged if the content of the application data in the one or more fields of the received packets do not match the first configuration (Figures 3c and 13; col. 12 lines 65 through col. 13, lines 29; and col. 15 lines 44-47; col. 16 lines 7-18; col. 26 lines 32-43; and col. 29 lines 56 through col. 30 lines 11).

15. Regarding claim 19, Albert further discloses the first device to forward the processed content based message to the second device via one or more packets having one or more fields that match the second configuration (Figure 6; and col. 16-21).

16. Regarding claim 20, Albert further discloses each of the first and second devices comprises one or more of a validator, a transformer and a switch (col. 15 lines 44-47).

17. Regarding claim 23, Albert further discloses generating a response message; receiving the response message at the device via one or more packets; processing the response message if the one or more packets of the response message match the configuration of the device (col. 11 lines 20-61).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Albert in view of Jamtgaard et al (Hereafter Jamtgaard) U.S. Patent 6,430,624.

Albert discloses a system for processing and validating the message only if the received packets have one or more fields that match the configuration of the devices, and forward the message if the packets do not match the configuration of the devices; however, Albert fails to teach a transformer to transform the content based message from a first format to a second format.

Jamtgaard discloses a transformer to transform the message from a first format to a second format (e.g. the content connection handler 40 retrieve the client request information and transform the message or document from the first format to the second format) (Figure 4).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Jamtgaard's teaching into Albert's system to transform the

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message from a first format to a second format to organize the content information may be mapped into a hierarchy of groups so that the content information can be optimally formatted for display on the devices according to the input/output formation, such as the display screen size parameters of the devices.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H Nguyen
Examiner
Art Unit 2143

March 3, 2006


JEFFREY PWU
PRIMARY EXAMINER